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KERALA GAZETTE

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GOVERNMENT OF KERALA

HEALTH AND LABOUR DEPARTMENT (D)

NOTIFICATION I

No. 59743|D3|62|HLD.

Dated, Trivandrum, 4th October 1962.

In exercise of the powers conferred by Sub Section (2) of Section 26 of the Apprentices Act 1961 (Central Act 52 of 1961), the Government of Kerala hereby appoint the State Director of Training and Employment as the State Apprenticeship Adviser.

By order of the Governor,
K. K. RAMANKUTTY,
Secretary.

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GOVERNMENT OF KERALA

HEALTH AND LABOUR DEPARTMENT (D)

NOTIFICATION II

No. 59743|D3|62|HLD.

Dated, Trivandrum, 4th October 1962.

In exercise of the powers conferred by sub-sections (5) and (6) of Section 24 of the Apprentices Act 1961 (Central Act No. 52 of 1961), the Government of Kerala hereby make the following rules to determine the number of persons to be appointed as members of the State Apprenticeship Council from each of the categories specified in sub-section (4) of the said Section, the term of office of, the procedure to be followed in the discharge of their functions by, and the manner of filling vacancies among, the members of the Council and the fees and allowances to be paid to the Chairman and the members of the Council namely:—

1. *Short title and Commencement.*—(1) These rules may be called the State Apprenticeship Council Rules, 1962.

(2) They shall come into force at once.

2. *Definitions.*—In these rules, unless the context otherwise requires;

(a) 'Act' means the Apprentices Act 1961 (Central Act 52 of 1961).

(b) 'Chairman' means the Chairman of the State Apprenticeship Council.

(c) 'Council' means the State Apprenticeship Council established under sub-section (1) of Section 24 of the Act.

(d) 'Member' means a member of the Council.

(e) 'Secretary' means Secretary to the Council.

3. *Constitution of Council.*—The Council shall consist of a Chairman who shall be appointed by the State Government and the following other members who shall also be appointed by the State Government namely:—

(a) Not more than 2 representatives of employers in establishments in the public sector.

(b) not more than 2 representatives of employers in establishments in the private sector.

(c) not more than 1 representative of the Central Government.

(d) not more tban 7 representatives of the State Government.

(e) not more than 2 persons having special knowledge and experience of matters relating to industry and labour.

4. *Terms of Office.*—(1) The Council shall be constituted for a period of three years and thereafter it shall be reconstituted at the end of every three years. All the members appointed to it shall accordingly hold office for a period of three years.

Provided that a member of the Council shall, notwithstanding the expiry of the said period of three years, continue to hold office until his successor is appointed.

(2) Where a person is chosen as a member of the Council by virtue of the office or appointment he holds, he shall cease to be a member if he ceases to hold that office or appointment.

5. *Cessation of Membership.*—(1) A member of the Council shall cease to be a member if he dies, resigns, becomes of unsound mind, is declared insolvent or is convicted of a criminal offence involving moral turpitude.

(2) A resignation of membership shall be tendered to the Secretary and shall not take effect until it has been accepted on behalf of the Council by the Chairman.

6. *Filling of vacancies.*—(1) Any vacancy in the membership of the Council caused by reasons mentioned in sub-rule i of rule 5 shall be filled by the Government.

(2) A member appointed to fill a casual vacancy shall hold office for so long as the member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

7. *Time and place of meeting.*—The Council shall meet as often as may be necessary and at least once a year on such date, time and place as may be determined by the Chairman.

8. *Notice of Meeting.*—The Secretary shall give a notice of not less than fifteen days for a meeting of the Council to each member but a shorter notice may be given for holding an emergent meeting.

9. *Quorum for the Council.*—One-third of the number of members of the Council shall constitute the quorum .for any meeting of the Council.

10. *Decision by majority.*—(1) All questions to be decided by the Council shall be in accordance with the opinion of the majority of the members present and voting.

(2) Each member shall have one vote. If there is equality of votes, the Chairman shall have and exercise the casting vote.

11. *Business by Circulation.*—The Chairman may, in special circumstances, instead of convening a meeting of the Council,

obtain the opinion of the members on any item of business individually by circulation of papers and such item shall be decided in accordance with the opinion of the majority.

12. *Proceedings of the Council.*—(1) Copies of all proceedings of the Council shall be furnished to the Secretary of the State Council for Training in Vocational Trades. Any views expressed or suggestions made thereon by the said State Council shall be duly considered by the Council.

(2) In all other matters, the Council shall follow such procedure as it may determine.

13. *Power to Co-opt members.*—The Council may, at any time, invite any person to attend its meetings to give advice or assist in any matter. The person so invited shall, however, not be entitled to vote on any question coming before the Council.

14. *Committees of Council.*—(1) The Council shall have the power to appoint such standing or Special Committees for assisting it in the discharge of its function as may be considered expedient by it.

(2) The composition and the functions of the Standing or Special Committees shall be determined by the Council.

15. *Fees and allowances to members.*—The Council will be classified as first class under Rule 111 part II K.S.R.

The Chairman and the representatives of the Central and the State Governments will draw travelling and daily allowances for attending the meetings of the Council or of its Committees from the respective Governments in accordance with the rules of those Governments. The non-official members of the Council will be paid travelling and daily allowances by the State Government for attending the meetings of the Council or of its Committees at the rates admissible to a State Government Officer of the first grade.

16. *Authentication of Acts and Proceedings.*—(1) All acts and proceedings of the Council shall be authenticated by the Chairman, or with the approval of the Chairman, by the Secretary.

(2) The Secretary shall carry out the decisions of the Council.

By order of the Governor,
K. K. RAMANKUTTY,
Secretary.

GOVERNMENT OF KERALA

Health and Labour Department (D)

NOTIFICATION III

No. 59743|D3|62|HLD.

Dated, Trivandrum, 4th October 1962.

In exercise of the powers conferred by sub-sections (1) and (4) of (Central Act 52 of 1961), read with rule 3 of the State Apprenticeship Council Rules, 1962, the Government of Kerala hereby establish the State Apprenticeship Council with the State Minister for Transport and Labour as its Chairman and appoint the following persons as other members namely:—

(a) Representatives of employers in establishments in the public sector.

(1) Shri A. S. Menon, Managing Director, Travancore Titanium Products, Trivandrum.

(2) Shri M. K. K. Nayar, Messrs. Fertilisers and Chemicals Ltd., Alwaye.

(b) Representatives of employers in establishments in the private sector.

(1) Shri A. K. Khader Kutty, Western India Plywood, Balliapatam.

(2) Mr. C. H. S. London, General Manager, Harrison and Cross Fields Ltd., Quilon.

(c) Representative of Central Government:—

Director General of Employment and Training, Government of India or his nominee.

(d) Representatives of State Governments:—

(1) Labour Commissioner.
(2) Director of Industries and Commerce.
(3) Development Commissioner.
(4) Secretary to Government, Health and Labour Department.
(5) Chief Inspector of Factories and Boilers.
(6) The Director of Training and Employment (Secretary).
(7) The Deputy Director of Training.

(e) Persons having special knowledge and experience on matters relating to industry and labour.

(1) Shri K. P. Madhavan Nair, Ex-M. P., Ernakulam.
(2) Shri P. K. Dewer, Ernakulam.

By order of the Governor,
K. K. Ramankutty,
Secretary.

REGISTERED No. M. 7463.

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EXTRAORDINARY

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L. A. Bill No. 31 of 1962.

NOTIFICATION

No. 4956|LA. 7|62.

The following Bill together with the Statement of Objects and Reasons, is published, as ordered by the Speaker under Rule 67 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

Legislature Secretariat,
Trivandrum, 5-10-1962.

D. TIRUMALAI,
Secretary,
Legislative Assembly.

PRINTED AND PUBLISHED BY THE S.G.P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1962.

L. A. Bill No. 31 of 1962.

THE KERALA WAREHOUSES (AMENDMENT) BILL, 1962

A

BILL

to amend the Kerala Warehouses Act, 1960.

Preamble.—Whereas it is expedient to amend the Kerala Warehouses Act, 1960, for the purposes hereinafter appearing;

BE it enacted in the Thirteenth Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Kerala Warehouses (Amendment) Act, 1962.

(2) It extends to the whole of the State of Kerala.

(3) It shall come into force at once.

2. *Amendment of Section 19.*—In section 19 of the Kerala Warehouses Act, 1960—

(i) in sub-section (1), after the proviso, the following further proviso shall be inserted, namely:—

"Provided further that nothing contained in this sub-section shall apply to the goods deposited in a Warehouse belonging to a Warehousing Corporation established under the Agricultural Produce (Development and Warehousing) Corporations Act, 1956 (Central Act 28 of 1956), where such Warehousing Corporation has agreed in the prescribed manner, to compensate the depositor against loss or damage arising from the prescribed risks."

(ii) in sub-section (2), the following shall be added at the end, namely:—

"and where a Warehousing Corporation established under the Agricultural Produce (Development and Warehousing) Corporations Act, 1956 (Central Act 28 of 1956) has agreed to compensate the depositor under the second proviso to sub-section (1) such Corporation shall be entitled to recover from the depositor such additional charges as it may decide, not exceeding the tariff rate of the insurance premia, for the risk which it has agreed to compensate."

STATEMENT OF OBJECTS AND REASONS

According to section 19 of the Kerala Warehouses Act, 1960, every warehouseman shall insure the goods stored in his warehouse against prescribed risks. But the Central Warehousing Corporation has adopted a scheme which seeks exemption from the application of insurance clause on condition that it will compensate the depositor against loss or damage arising from the prescribed events from its own funds. The scheme has been agreed to by the Kerala State Warehousing Corporation for adoption by the State Warehousing Corporation also. Provision has therefore to be made for exempting such warehouses from the provisions of the Act. It is also necessary to enable the Corporation to recover the additional charges from the depositor for the risk which it has agreed to compensate. The Bill seeks to amend section 19 of the Kerala Warehouses Act, 1960, for these purposes.

R. SANKAR.